

*See 4-8871*

*17*

21 JUL 1961

OGC HAS  
REVIEWED.

Honorable David E. Bell  
Director  
Bureau of the Budget  
Washington 25, D. C.

Dear Mr. Bell:

This is in response to the Bureau's request of 30 June 1961 for this Agency's views on the Civil Service Commission's draft bill, "To provide for the payment of compensation and restoration of employment benefits to certain Federal officers and employees improperly deprived thereof, and for other purposes", to be cited as the "Back Pay Act of 1961."

We have reviewed the draft bill and the supporting documents with much interest. The bill would provide a general authority for restoring lost pay and other benefits in the event a Federal employee should be adversely affected by a personnel action subsequently determined to be unjustified or unwarranted. It also accomplishes a desirable purpose in providing for comprehensive and uniform application of a principle already established as public policy, that is, that an employee is entitled to be made whole whenever an erroneous personnel action which has terminated or reduced his compensation is corrected by appropriate authority.

The Civil Service Commission's draft letter of transmittal to the Congress indicates that the proposed bill does not extend to any employee any rights of tenure, review, or appeal to which

he is not otherwise entitled.

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We feel that the proposed legislation is desirable and have no objection to its enactment in its present form.

Sincerely,

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Legislative Counsel

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